



ENSONET.023CP3

9/19 3709 #H
Receipt
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : George M. Johnson, et al.

Appl. No. : 09/702,002

Filed : October 30, 2000

For : METHOD AND DEVICE FOR
TREATING GASTROESOPHAGEAL
REFLUX DISEASE

Examiner : Unknown

Group Art Unit 3736

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: United States Patent and Trademark Office, P.O. Box 2327 Office of Initial Patent Examination, Customer Service Center, Arlington VA 22202, on

September 10, 2002
(Date)

James W. Hill, M.D., Reg. No. 46,396

REQUEST FOR CORRECTED FILING RECEIPT

United States Patent and Trademark Office
P.O. Box 2327
Office of Initial Patent Examination
Customer Service Center
Arlington, VA 22202

Dear Sir:

Applicants hereby request that the Official Filing Receipt, a copy of which is enclosed, be corrected to reflect the inclusion of inventor Philip J. Simpson. A Petition to Correct Inventorship, including all supporting documentation, was submitted to the U.S. Patent & Trademark Office on December 11, 2001. A complete copy of this transaction is attached for your convenience, including a copy of the recorded Assignment and PTO-stamped return post cards.

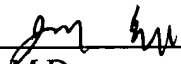
Appl. No. : 09/702,002
Filed : October 30, 2000

A copy of the Filing Receipt is also attached, reflecting the necessary change as marked in red.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 9/10/02

By: 
James W. Hill, M.D.
Registration No. 46,396
Attorney of Record
2040 Main Street
Fourteenth Floor
Irvine, CA 92614
(949) 760-0404

H:\DOCS\JZH\ZH-3364.DOC/dmg 082102



COPY

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/702,002	10/30/2000	3736	613	BQD-003.01	12	37	4

CONFIRMATION NO. 7813

REPLACEMENT FILING RECEIPT



OC000000008391624

20995
KNOBBE MARTENS OLSON & BEAR LLP
620 NEWPORT CENTER DRIVE
SIXTEENTH FLOOR
NEWPORT BEACH, CA 92660

Date Mailed: 07/03/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

George M. Johnson, Santa Ana, CA;
John T. Kilcoyne, San Diego, CA;
Ross Tsukashima, San Diego, CA;
Matthew T. Yurek, San Diego, CA;
Scott Harris, San Diego, CA;

Philip J. Simpson, Escondido, Ca

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted 02/05/2001

Projected Publication Date: Not Applicable, filed prior to November 29, 2000

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

Method and device for treating gastroesophageal reflux disease

Preliminary Class

128

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



COPY

UTILITY/DESIGN PATENT

DATE: 12-11-01

(amend/final amend)

DATE OF O.A.: _____

Rec'd in the U.S.P.T.O. on the date stamped hereon via Certificate of Mail:

Atty Dkt # Endo 02383 A/N: 09/702002Filed: 10-30-00Exr: UnknownAtty: S2HArt Unit: 3736Applicant(s): G. Johnson et alTitle: Method & Device for Treating Gastroesophageal Reflux...VERIFIED BY: Asst: Danni G

Quality Control: _____

☐ Transmittal Sheet in dupl.☐ Amendment in _____ pgs.☐ _____ Mo. Ext. of Time in dupl.☐ Small Entity Statement(s) _____☐ Req. for Drawing Changes marked in RED ☒ Submission of Formal Drawings

_____ pgs of Drawings

Transmittal

☐ Information Disclosure Statement;☐ _____ pgs of Formal Drawings

PTO-1449 w/ _____ Refs.

☐ _____ Check for Amendment☐ Issue Fee Transmittal in dupl.☐ \$ _____ Issue Fee Soft Copies☒ Petition - correct Inventor☒ written consent of Assignee - LPS☒ Stmnt. of P. Simpson - 1 pg☒ \$1300 petition Fee☒ Declaration Inventor - 2 copy☒ Return Postcard & Assignment

COPY

COPY

Application No.: 09/702,002
Filing Date: October 30, 2000

PATENT
Client Code: ENDONET.023CP3
Page 1

ASSIGNMENT

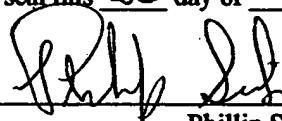
WHEREAS, I, ^{PHILIP} ~~Phillip~~ Simpson, a United States citizen, residing at 3185 Pioneer Place, Escondido, CA 92025, have invented certain new and useful improvements in a METHOD AND DEVICE FOR TREATING GASTROESOPHAGEAL REFLUX DISEASE for which an application for U.S. Letters Patent has been filed October 30, 2000, U.S. Patent Application No. 09/702,002;

AND WHEREAS, ENDONETICS, INC. (hereinafter "ASSIGNEE"), a California Corporation, with its principal place of business at 11100 Roselle Street, San Diego, CA 92121, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the said inventor, do hereby acknowledge that I have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, his successors, legal representatives and assigns, any and all right, title, and interest I do or may own throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and I hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, his successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND I HEREBY covenant and agree that I will communicate to the said ASSIGNEE, his successors, legal representatives and assigns, any facts known to me respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, his successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 30 day of OCTOBER, 2001.



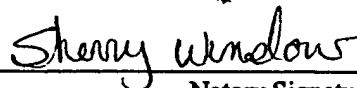
Phillip Simpson
PHILIP ^{PHS}

STATE OF California }
COUNTY OF San Diego } ss.

On October 30, 2001 before me, Sherry Winslow, personally appeared Phil Simpson personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

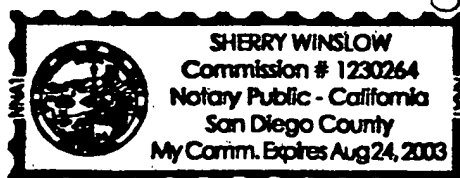
WITNESS my hand and official seal.

[SEAL]



Notary Signature

H:\DOCS\UZH\ZH-2723.DOC/dmg 102601



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : George M. Johnson, et al.

Group Art Unit 3736

Appl. No. : 09/702,002

Filed : October 30, 2000

For : METHOD AND DEVICE FOR
TREATING GASTROESOPHAGEAL
REFLUX DISEASE

COPY

Examiner : Unknown


WRITTEN CONSENT OF ASSIGNEE
IN SUPPORT OF PETITION FOR CORRECTION OF INVENTORSHIP
UNDER 37 C.F.R. §1.48(a)

Endonetics, Inc., a California corporation located at 11100 Roselle Street, San Diego, CA 92121, is the owner and assignee of record of the above-identified patent application. A copy of the assignment reflecting the chain of title to Endonetics, Inc. is attached hereto.

The assignee is aware of the error with respect to inventorship of the above-identified patent application. The assignee hereby consents to the requested correction of inventorship which adds Philip J. Simpson as a joint inventor of the above-referenced patent.

Respectfully submitted,

ENDONETICS, INC.


John T. Kilcoyne
President & Chief Executive Officer

Client Code: ENDONET.023CP3



**RECORDATION FORM COVER SHEET
PATENTS ONLY**

COPY

TO THE ASSISTANT COMMISSIONER FOR PATENTS: Please record the attached original documents or copy thereof.

1. Name of conveying party

Philip J. Simpson

Additional name(s) of conveying party(ies) attached?

() Yes (X) No

2. Name and address of receiving party:

Name: ENDONETICS, INC.

Internal Address:

Street Address: 11100 Roselle Street

City: San Diego State: CA ZIP: 92121

Additional name(s) of receiving party(ies) attached?

() Yes (X) No

3. Nature of conveyance:

- (X) Assignment
() Merger
() Security Agreement
() Change of Name
() Other:

Execution Date: October 30, 2001

4. Application number(s) or Patent number(s):

() Application(s) filed herewith Execution Date(s):

(X) Patent Application No.: 09/702,002

Filing Date: October 30, 2000

() Patent No.:

Issue Date:

Additional numbers attached? () Yes (X) No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: James W. Hill, M.D.
KNOBBE, MARTENS, OLSON & BEAR, LLP
Customer No. 20,995

Internal Address: Sixteenth Floor

Street Address: 620 Newport Center Drive

City: Newport Beach State: CA ZIP: 92660

Attorney's Docket No.: ENDONET.023CP3

7. Total fee (37 CFR 1.21(h)): \$40.00

(X) Enclosed

(X) Authorized to be charged to deposit account if any additional fees are required, or to credit any overpayment

8. Deposit account number: 11-1410

Please charge this account for any additional fees which may be required, or credit any overpayment to this account.

6. Total number of applications and patents involved: 1

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct, and any attached copy is a true copy of the original document.

James W. Hill, M.D.

Name of Person Signing

Signature

Date

12/11/01

46,396

Registration No.

Total number of pages including cover sheet, attachments and document: 2

Mail documents to be recorded with required cover sheet information to:

U.S. Patent and Trademark Office
Attn: Assignment Division
Crystal Gateway-4
1213 Jefferson Davis Highway, Suite 320
Arlington, VA 22202

Application No.: 09/702,002
Filing Date: October 30, 2000

COPY

PATENT
Client Code: ENDONET.023CP3
Page 1

ASSIGNMENT

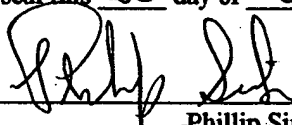
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AND I HEREBY covenant and agree that I will communicate to the said ASSIGNEE, his successors, legal representatives and assigns, any facts known to me respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, his successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

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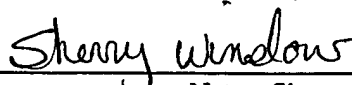
Phillip Simpson
PHILIP FTS

STATE OF California }
COUNTY OF San Diego } ss.

On October 30, 2001 before me, Sherry Winslow, personally appeared Phil Simpson personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

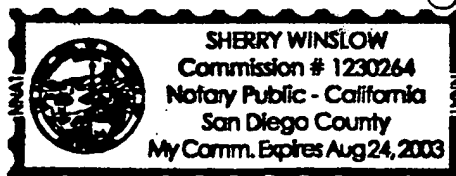
WITNESS my hand and official seal.

[SEAL]



Notary Signature

H:\DOCS\JZH\JZH-2723.DOC/dmg 102601



COPY

UTILITY/DESIGN PATENT

Date: 12-11-01

(miscellaneous)

Date of O.A.:

Rec'd in the U.S.P.T.O. on the date stamped hereon via Certificate of Mail:

Atty. Dkt. # Endonch. 623CP3

A/N: 09/702,002 Filed: 10-30-00

Pat. #

Issued:

Atty: SH

Exr: Unknown

Art Unit: 3736

Batch:

Re-Exam #

Title: Method & Device for Treating

Applicant: G. Johnson et al

VERIFIED BY: Asst: Danni G.

Quality Control:

☒ Assignment & Recordation Form 12 pgs

☒ Recording fee \$400

☐

90:1 PM 11 30 1002

☐

☐

RECEIVED

☐

☐

☒ Return Postcard



UNITED STATES
PATENT AND
TRADEMARK OFFICE



Endonet. 023CP3
GVH/JZH

COPY

FEBRUARY 05, 2002

PTAS
KNOBBE, MARTENS, OLSON & BEAR, LLP
JAMES W. HILL, M.D.
620 NEWPORT CENTER DRIVE
SIXTEENTH FLOOR
NEWPORT BEACH, CA 92660

Under Secretary of Commerce For Intellectual Property and
Director of the United States Patent and Trademark Office
Washington, DC 20231
www.uspto.gov



101918480A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 12/14/2001

REEL/FRAME: 012362/0085
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

SIMPSON, PHILIP J.

DOC DATE: 10/30/2001

ASSIGNEE:

ENDONETICS, INC.
11100 ROSELLE STREET
SAN DIEGO, CALIFORNIA 92121

SERIAL NUMBER: 097020C2
PATENT NUMBER:

FILING DATE: 10/30/2000
ISSUE DATE:

JOANN STEWART, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

12-17-2001

COPY

12-14-2001

TO THE ASSISTANT COMMISSIONER FOR

documents or copy thereof.

1. Name of conveying party

Philip J. Simpson

Additional name(s) of conveying party(ies) attached?

() Yes (X) No

101918480

2. Name and address of receiving party:

Name: ENDONETICS, INC.

Internal Address:

Street Address: 11100 Roselle Street

City: San Diego State: CA ZIP: 92121

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- (X) Assignment
 () Merger
 () Security Agreement
 () Change of Name
 () Other:

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Attorney's Docket No.: ENDONET.023CP3

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James W. Hill, M.D.

Name of Person Signing

Signature

Date

46,396

Registration No.

Total number of pages including cover sheet, attachments and document: 2

Mail documents to be recorded with required cover sheet information to:

12/17/2001 6TON11 00000005 09702002

01 FC:581

40.00

U.S. Patent and Trademark Office

Attn: Assignment Division

Crystal Gateway-4

1213 Jefferson Davis Highway, Suite 320

Arlington, VA 22202

COPY

ASSIGNMENT

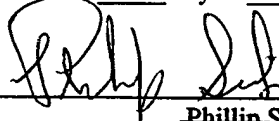
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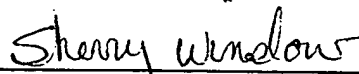
Phillip Simpson
PHILIP ^{PJS}

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WITNESS my hand and official seal.

[SEAL]



Notary Signature

